

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

DAVID C. KERNELL

)  
)  
)  
)  
)

No. 3:08-CR-142  
(Phillips)

VERDICT FORM

We, the members of the jury, find unanimously and from all the evidence as follows:

1. As to Count One of the indictment charging a violation of 18 U.S.C. § 1028(a)(7) (Identity Theft), we find the defendant, David C. Kernell

\_\_\_\_\_ NOT GUILTY

\_\_\_\_\_ GUILTY

[Proceed to Question 2.]

2. As to Count Two of the indictment charging a violation of 18 U.S.C. § 1343 (Wire Fraud), we find the defendant, David C. Kernell

  X   NOT GUILTY

\_\_\_\_\_ GUILTY

[Proceed to Question 3.]

3. As to Count Three of the indictment charging a violation of 18 U.S.C. § 1030(a)(2)(c) and § 1030(c)(2)(B)(ii) (Obtaining information from a protected computer as a result of unauthorized access to a computer in furtherance of aiding and abetting other violations of § 1030(a)(2)(C)), we find the defendant, David C. Kernell

\_\_\_\_\_ NOT GUILTY

\_\_\_\_\_ GUILTY

[If your response to Question 3 is "Guilty", proceed to Question 4. If your response to Question 3 is "Not Guilty", or if you fail to reach a unanimous decision, proceed to Question 3A.]

3A. As to the lesser included offense of Count Three charging a violation of 18 U.S.C. § 1030 (unlawfully obtaining information from a protected computer as a result of unauthorized access to a computer), we find the defendant, David C. Kernell

\_\_\_\_\_ NOT GUILTY

X GUILTY

[Proceed to Question 4.]

4. As to Count Four of the indictment charging a violation of 18 U.S.C. § 1519 (Destruction, Alteration or Falsification of Records in Federal Investigations), we find the defendant David C. Kernell

\_\_\_\_\_ NOT GUILTY

X GUILTY

[Please have your foreperson sign and date the verdict form and notify the marshal you have reached a verdict.]

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Date 30 APR 2010